

IT IS SO ORDERED.

Dated: 10:26 AM April 06 2006


MARILYN SHEA-STONUM *CAW*
U.S. Bankruptcy Judge

200605243
(jschatz)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:	:	Case No. 05-55009
Gary Wassam, Jr.	:	Chapter 13
	:	Judge Shea-Stonum
	:	
Debtor	:	
	:	
	:	AGREED ORDER FOR
	:	RELIEF FROM STAY

This matter came to be considered on the Motion for Relief From Stay (the "Motion") filed by Mortgage Electronic Registration Systems, Inc. as nominee for Wells Fargo Home Mortgage, Inc. ("Movant").

Movant has alleged that good cause exists for granting the Motion and that Debtor, counsel for

Debtor, the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion, **the terms of which are set forth as follows:** The post-petition arrearage due as of March 31, 2006, is \$2,091.86, which amount consists of 1 payment for 1/06 at \$467.56, 2 payments (2/06 through 3/06) at \$435.91 each, late charges at \$102.48, and \$650.00 for attorney fees and costs incurred herein.

In order to partially cure said post-petition arrearage, Creditor is permitted to file a Supplemental Proof of Claim in the amount of \$650.00, thereby reducing the arrearage to \$1,441.86. In order to partially eliminate said post-petition arrearage, the debtor has tendered the sum of \$435.91, receipt of which is hereby acknowledged by Creditor, thereby reducing said arrearage to \$1,005.95. In order to cure remaining arrears of \$1,005.95, Debtor(s) agree to make the following lump sum payments to Movant in the form of certified funds on or before the dates specified herein as follows:

- a. \$167.70 on or before April 15, 2006;
- b. \$167.65 on or before May 15, 2006;
- c. \$167.65 on or before June 15, 2006;
- d. \$167.65 on or before July 15, 2006;
- e. \$167.65 on or before August 15, 2006; and
- f. \$167.65 on or before September 15, 2006.

Said lump sum payments are in addition to the regular monthly mortgage payments due and owing for said months. All payments shall be tendered to:

Wells Fargo Bank, N.A.
PO Box 14544
Des Moines, IA 50306-3542

This payment address is subject to change.

Failure by the Debtor(s) to make any payment described above shall constitute a default.

IT IS THEREFORE, ORDERED:

1. The Debtor shall maintain regular monthly post-petition payments to Movant outside the Chapter 13 plan beginning with a payment due April 1, 2006. Failure by the Debtor to make any payment within **30** days of the date due shall constitute a default.

2. Upon the existence of a default, Movant's counsel may send Debtor and counsel for Debtor a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtor, an Order shall be entered without further hearing, terminating

the stay imposed by Section 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns.

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SUBMITTED BY:

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